

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

---

Certiorari to Pickens County

James R. Barber, Circuit Court Judge

---

**RECEIVED**

DEC -1 2016

S.C. SUPREME COURT

MARSHALL H. COLLINS,

RESPONDENT,

V.

THE STATE OF SOUTH CAROLINA,

PETITIONER

APPELLATE CASE NO. 2014-002397

---

**PETITION FOR EXTENSION TO FILE  
BRIEF OF RESPONDENT**

---

The undersigned counsel would respectfully request a thirty (30) day extension in which to file the brief of respondent in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following exigent circumstances:

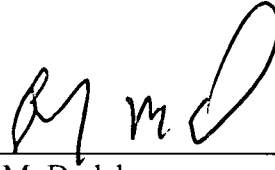
1. The brief of respondent in this case is due to be served and filed today, having been extended by one prior order of this Court.
2. Today, December 1, 2016, counsel will file the reply to the return to the petition for writ of certiorari in the case of Anthony Woods v. The State of South Carolina with this Court. On November 21, 2016, counsel filed the brief in opposition to the petition for writ of certiorari in the case of The State of South Carolina v. Antonio Miller with the United States Supreme Court. On

November 10, 2016, counsel was co-counsel on the initial reply brief of appellant that was filed in the death penalty case of The State v. Luzenski Cottrell with this Court. On November 7, 2016, counsel filed the initial brief of respondent and designation of matter in the case of The State v. Richard P. Krochmal with the Court of Appeals. On November 3, 2016, counsel filed the petition for rehearing in the case of The State v. Thomas James with the Court of Appeals. On October 31, 2016 counsel filed the initial brief of appellant in the case of The State v. Joseph Bowers with the Court of Appeals. On October 21, 2016, counsel filed the initial brief of appellant in the case of The State v. Marquise Green with the Court of Appeals. On October 21, 2016, counsel filed the initial brief of appellant in the case of The State v. James Chadwick Lyda with the Court of Appeals. On October 20, 2016 counsel filed the petition for writ of certiorari to the Court of Appeals in the case of The State v. James Scott Cross with this Court. On October 14, 2016, counsel filed the initial brief of appellant in the case of The State v. August Kreis with the Court of Appeals. On October 3, 2016, counsel filed the petition for writ of certiorari in the case of Richey Lamont Boyd v. The State with this Court. **Counsel has extensive administrative duties as the Chief Appellate Defender, including administrative and Appellate Project oversight, and, training four less experienced appellate defenders and reading all of their writings.**

3. This request is made in good faith, and not for purposes of delay.

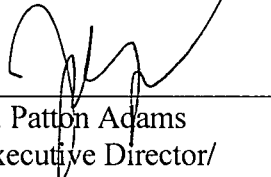
WHEREFORE, the undersigned counsel would respectfully request a thirty (30) day extension in which to file the brief of respondent in this case. Counsel requests that the time limits for filing the brief of respondent be held in abeyance pending a ruling on this motion.

Respectfully submitted,



---

Robert M. Dudek  
Chief Appellate Defender



---

T. Patton Adams  
Executive Director/  
J. Hugh Ryan, III  
General Counsel

December 1, 2016.

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

---

Certiorari to Pickens County

James R. Barber, Circuit Court Judge

---

MARSHALL H. COLLINS,

RESPONDENT,

V.

THE STATE OF SOUTH CAROLINA,

PETITIONER.

---

CERTIFICATE OF SERVICE

---

The undersigned attorney hereby certifies the petition in which to file the brief of respondent in the above referenced case has been served upon Patrick Schmeckpeper, Esquire, Assistant Attorney General, Office of the Attorney General, Rembert Dennis Building, 1000 Assembly Street, Rm. 519, Columbia, SC 29201, this 1<sup>st</sup> day of December, 2016.



---

Robert M. Dudek  
Chief Appellate Defender

ATTORNEY FOR RESPONDENT

SUBSCRIBED AND SWORN TO before me  
this 1<sup>st</sup> day of December, 2016.



(L.S.)

Notary Public for South Carolina  
My Commission Expires: October 30, 2022.